**THE HON'BLE SRI JUSTICE BILAL NAZKI**

**AND**

**THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT PETITION No. 6129 of 2006**

28.3.2006

Between:

M/s.Rohini Traders, Tadepalligudem, rep. by its Proprietor.

…Petitioner

And

Commercial Tax Officer, Tadepalligudem and others.

….Respondents.

**THE HON'BLE SRI JUSTICE BILAL NAZKI**

**AND**

**THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT PETITION No. 6129 of 2006**

**ORDER :** (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent the Writ Petition is disposed of at this stage.

It is submitted that at the time of filing of the first appeal, and on rejection of the application for stay, the petitioner had approached the Court and Court had directed entertainment of appeal on payment of 50% of the liability. Now, the petitioner has lost the first appeal and filed second appeal. Pending second appeal, he has also filed stay application, which is pending. But in the meantime, demand notice has been issued.

In this view of the matter, we direct that pending appeal, recovery be not ordered, as the petitioner has already deposited 50% of the liability.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

28th March 2006

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(G.CHANDRAIAH,J)

N.B :

Order by wire at party's cost.

(B/o)

ajr